

(d) *Filing and tabulation of votes.* Each ballot, when filled in and signed by a grower entitled to vote in a referendum, shall be mailed or delivered by him as specified in the ballot. Persons authorized by the Director to receive votes in any referendum shall promptly file all votes received or collected by them with the Division. All ballots filed in a referendum shall be examined to verify the eligibility of the voter and the Director shall have compiled the result of the referendum and furnish the Secretary a statement showing whether or not two-thirds of the growers voting favored the designation of the market or group of markets covered by the referendum. In verifying votes, ballots which do not show the desire of the voter, or ballots which are defective or illegible, or ballots on which the signature or other identification does not correspond with the established list shall not be counted. The choice of any individual voter shall not be divulged by any official of the Division, except to the Secretary when requested. Votes, ballots, and other documents pertaining to a referendum shall be preserved in the Division for a period of 2 years from the closing date of such referendum, and may be destroyed thereafter.

[13 FR 9474, Dec. 31, 1948; 19 FR 57, Jan. 6, 1954, as amended at 55 FR 21738, May 29, 1990]

#### **§29.75 Accessibility of tobacco.**

(a) All tobacco subject to mandatory inspection on a designated market shall be made readily accessible for inspection.

(b)(1) Each warehouse operator shall block off in his warehouse adequate space for each basket of flue-cured tobacco offered for sale on the auction market, and shall prominently number each 10th basket space. The blocking and numbering arrangement shall follow the order of sale; that is, down one row and back on the adjacent row.

(2) Each warehouse shall display a plainly visible sign with the total number of baskets of flue-cured tobacco allotted to be sold each day. Each warehouse operator shall designate to the inspector the number of the starting space for each day's sale and grading will begin at this designated space. All spaces, whether empty or full, shall be

counted. No tobacco will be graded beyond the numbered space corresponding with the number of baskets allotted for each day's sale. The grading shall proceed from the beginning point of the sale to the closing point of the sale in an orderly sequence. An inspector shall not go back and grade any basket of tobacco placed in a space which was empty when grading for the day's sales passed such sales space.

(c) Before starting inspection of the day's sale of flue-cured tobacco in each warehouse, the head grader or market supervisor grader shall determine if there is compliance with the requirements of paragraph (b) of this section. If he determines that the prescribed system has not been followed, the inspectors shall proceed to the next scheduled warehouse and shall return to the noncomplying warehouse on the next sales day for such warehouse when the head grader or market supervisor grader shall again determine if the prescribed system has been followed before starting the inspection.

(d) A reduction in daily sales for any warehouse resulting from noncompliance with this section, including empty spaces, shall not prevent the maximum number of baskets allotted per day per set of buyers from being sold in the market.

[13 FR 9477, Dec. 31, 1948; 19 FR 57, Jan. 6, 1954, as amended at 28 FR 6211, June 18, 1963]

#### **§29.75a Display of burley tobacco on auction warehouse floors in designated markets.**

(a)(1) Each lot of burley tobacco displayed for sale on auction warehouse floors shall have a minimum space of 24 inches from butts to butts between the rows. Distances between lots of tobacco within the row shall be no less than 8 inches between immediately adjacent lots.

(2) The number of bales on a pallet shall not exceed eight. Tobacco packed in bales shall have the stems turned toward the aisle.

(3) Each warehouse operator shall display a plainly visible sign showing the total number of lots of burley tobacco allotted to be sold each day. Such sign shall be displayed at the point of lots where the days' sales will